

MINUTES

DAKOTA COUNTY PHYSICAL DEVELOPMENT COMMITTEE OF THE WHOLE

August 11, 2009

Conference Room 520, 1 Mendota Road, West St. Paul, Minnesota

1. CALL TO ORDER AND ROLL CALL

Commissioner Paul J. Krause, Chair of the Physical Development Committee of the Whole, called the meeting to order at 9:00 a.m. Commissioners in attendance:

Commissioner Joseph A. Harris, District 1
Commissioner Kathleen Gaylord, District 2
Commissioner Thomas Egan, District 3
Commissioner Nancy Schouweiler, District 4
Commissioner Liz Workman, District 5
Commissioner Paul J. Krause, District 6
Commissioner Willis E. Branning, District 7

Also in attendance were:

Brandt Richardson, County Administrator
Lynn Thompson, Division Director
Jay Stassen, Assistant County Attorney
Jeanne Nash Hoffmann, Administrator Coordinator

2. INTRODUCTION OF NEW STAFF

There were no new staff to introduce this month.

3. AUDIENCE

Chair Krause asked if anyone in the audience wished to address the Committee on an item not on the agenda or if anyone wished to discuss an item on the Consent Agenda. No one came forward.

4. APPROVAL OF THE AGENDA

Motion by Commissioner Gaylord, Second by Commissioner Egan, and passed on a 7-0 vote to approve the agenda for August 11, 2009, as presented.

5. CONSENT/INFORMATION AGENDA

Motion by Commissioner Harris, Second by Commissioner Workman, and passed on a 7-0 vote to approve the consent agenda.

5.1 – Minutes Of The July 14, 2009 Meeting**5.2 –Approval of Release Of Financial Assurance For Resource Recovery Technologies Processing Solutions Yard Waste Compost Facility In City of Burnsville MN**

WHEREAS, in accordance with Dakota County Ordinance 110, Solid Waste Management (Ordinance 110), Resource Recovery Technologies Processing Solutions has held a license to operate a yard waste compost facility in the City of Burnsville; and

WHEREAS, Resource Recovery Technologies Processing Solutions holds financial assurance in the form of an irrevocable letter of credit in the amount of \$105,000 for said facility; and

WHEREAS, Specialized Environmental Technologies, Inc., the new owner, was issued a license to operate the facility by the Dakota County Board of Commissioners on June 16, 2009; and

WHEREAS, Specialized Environmental Technologies, Inc. is required by Ordinance 110 and the conditions of its license to obtain financial assurance for the site; and

WHEREAS, Specialized Environmental Technologies, Inc. has obtained financial assurance for this facility, in accordance with the requirements established by Ordinance 110 and its County license; and

WHEREAS, the financial assurance held by Resource Recovery Technologies Processing Solutions is no longer needed and staff recommends that the County Board approve its release.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby approves the release of the \$105,000 irrevocable letter of credit held by Resource Recovery Technologies Processing Solutions, as financial assurance for the yard waste compost facility located in the City of Burnsville.

5.3– Plat Commission Update – Information only; no action was requested.

6. REGULAR AGENDA

6.1 –Authorization To Initiate Appraisals And Negotiations With Landowners And Partners Of Highest Ranked, 2009 Natural Area Projects

Farmland and Natural Areas Program Manager Al Singer briefed the Committee and answered questions. He reviewed the budget summary which showed \$1,649,735 remaining; he reviewed the prioritization criteria, the project evaluation process and the selection principles. He explained the three options available to the Committee and why staff were recommending option 1 which was to approve the FNAP Advisory Committee recommendations of advancing the 12 highest ranked projects since it maximizes flexibility and reflects uncertainties. Al explained that the goal of the process is to not have a deficient when negotiations are completed.

Motion by Commissioner Harris, Second by Commissioner Gaylord and passed on a 7-0 vote to recommend that the County Board adopt the following resolution:

WHEREAS, by Resolution No. 08-423 (October 7, 2008), the County Board authorized a fifth Farmland and Natural Areas Program (FNAP) application round; and

WHEREAS, the County has completed a fifth FNAP natural area application round, resulting in the submission of sixteen final applications; and

WHEREAS, an additional seven natural area projects of sufficient County interest that would involve significant non-County funds and/or landowner donation that would not officially require FNAP Advisory Committee (AC) review and approval, were also considered; and

WHEREAS, the AC reviewed, evaluated, scored, and ranked the 16 eligible 2009 natural area application projects and the additional seven natural projects during its May 21 and June 4, 2009, meetings; and

WHEREAS, the AC ranked the top 15, 2009 natural area projects as follows:

Rank	Landowner	Estimated Easement Acres	Township/City	Average Score
1	Vance and Darlene Grannis	134	Inver Grove Heights	84
2	Ruth and Allen Rechtzigel	75	Inver Grove Heights	83
3	Helen Nordseth	351	Empire	80
4	Ashbury Limited Partners (Lake Marion)	20	Lakeville	77
5	Macalester College (Katharine Ordway)	163	Inver Grove Heights	76
6	Mark Niebur	40	Ravena	75
7	Donald and Lisa Kamen	80	Empire	73
8	Dakota County Agriculture Society	200	Castle Rock	72
9	Ronald and Robin Bakken	66	Sciota	69
10	Jerry and Audrey Wicklund	123	Waterford	69
11	Chimney Rock	76	Marshan	66
12	Michael Ozmun	30	Waterford	65
13	George Kummer	64	Vermillion	65
14	William and Jeanette Otting (II)	17	Vermillion	62
15	Mark and Janet Otte (I)	51	Waterford	51

; and

WHEREAS, during its June 18, 2009, meeting, the AC deleted the Dakota County Agricultural Society and Otting II projects and recommended that the Dakota County Board of Commissioners authorize initiating the appraisal and negotiation process for 13 of the 15 highest ranked 2009 natural area projects; and

WHEREAS, the DNR now has adequate funding to acquire the Kummer property without utilizing any FNAP funds.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorizes the Parks and Open Space Department staff to initiate the appraisal process and negotiations with the following 2009 natural area protection project landowners:

<u>Rank</u>	<u>Name</u>	<u>Township/City</u>	<u>Easement/Fee Title</u>
1	Vance and Darlene Grannis	Inver Grove Heights	Easement
2	Ruth and Allen Rechtzigel	Inver Grove Heights	Fee title (DNR)
3	Helen Nordseth	Empire Township	Fee title (DNR)
4	Ashbury Limited Partners (Lake Marion)	Lakeville	Fee Title (Lakeville)
5	Macalester College (Katharine Ordway)	Inver Grove Heights	Easement
6	Mark Niebur	Ravenna Township	Easement
7	Donald and Lisa Kamen	Empire Township	Fee Title (DNR)
9	Ronald and Robin Bakken	Sciota Township	Easement
10	Jerry and Audrey Wicklund	Waterford Township	Easement
11	Schoen & Voelker (Chimney Rock)	Marshan Township	Fee Title (DNR)
12	Michael Ozmun	Waterford Township	Easement
15	Mark and Janet Otte (I)	Waterford Township	Easement

; and

BE IT FURTHER RESOLVED, That following completion of the appraisal and negotiation process with the landowners and partners, each of these natural area projects will be re-evaluated by the FNAP Advisory Committee, and its acquisition and funding recommendations will be presented to the County Board for final decisions on the levels and sources of funds at a future date.

DIRECTOR'S REPORT

Lynn Thompson provided the Director's Update.

- She informed them that the Senate Bonding Committee will be conducting a tour on September 3. They will be at Lake Byllesby between 10:45 and 11:45 and will review the Lake Byllesby Dam Spillway Capacity Upgrade request and the Trail Bridge over the Cannon River request. After viewing these requests, the plans are to brief them on Cedar Avenue Bus Rapid Transit and the Robert Street Transit Layover Facility.
- Lynn distributed a memorandum that provided a status update on the Byllesby dam operations including FERC issues, DNR permit issues, and meetings with NAH. The County Attorney's office is meeting with representatives from NAH on Wednesday. It will not be known until then whether a closed session will be required to discuss confidential disclosures.
- Lynn briefed on the latest developments in the Metropolitan Council's dial a ride transit services program. There is a public hearing scheduled at the Northern Service Center on September 10.
- Discussion was held on the need to schedule another meeting between the County Board and Met Council representatives. Lynn said she would contact them. There are several issues that need to be discussed.
- Lynn briefed on Ordinance No. 126 and explained the delay in getting this to the County Board. She indicated that it will be presented to either the September 1 or October 13 Physical Development Committee meetings, depending in the involvement of other entities.

ADJOURNMENT

Motion by Commissioner Schouweiler, Second by Commissioner Harris and passed on a 7-0 vote to adjourn the meeting at 9:30 a.m.

Respectfully submitted:

Jeanne Nash Hoffmann
Administrative Coordinator